

TABLE OF CONTENTS

GENERAL INFORMATION

INTRODUCTION	1
PERMIT REQUIREMENTS	1
Corps of Engineers	1
State	2

HOW TO COMPLETE THE JOINT APPLICATION

INSTRUCTIONS	3
SAMPLE APPLICATION	5
DRAWING CHECKLIST	7
SAMPLE DRAWINGS	9

WHERE TO SUBMIT THE JOINT APPLICATION

CORPS OF ENGINEERS	15
STATE	16

PROCESSING A JOINT APPLICATION

TYPICAL PROCESSING PROCEDURES	18
FEES	19
EVALUATION FACTORS	20
OTHER STATE AND LOCAL APPROVALS	21
PERMIT EXTENSIONS	21
PERMIT TRANSFERS	22
Appendix A – List of Corps Regional and Nationwide Permits	23

GENERAL INFORMATION

Introduction

This pamphlet is designed to assist you in completing the Joint Application for Permits form for work in waters and wetlands in Idaho. This one application may be used to apply for three separate permits: a Department of the Army permit from the Corps of Engineers (Corps), a Stream Channel Alteration permit from the Idaho Department of Water Resources, and a Lake Encroachment permit from the Idaho Department of Lands. To obtain additional application forms, contact any of the Corps of Engineers offices listed on page 15 or email CENWW-OD-RF-3@nww01.usace.army.mil. Forms can also be obtained by contacting the Idaho Department of Water Resources (offices listed on page 16) or the Idaho Department of Lands (offices listed on page 17).

Permit Requirements

A. Corps of Engineers.

Department of the Army permits are required under Section 404 of the Clean Water Act for discharges of dredged or fill material into waters of the United States, including wetlands. This includes excavation activities which result in the discharge of dredged material and destroy or degrade waters of the United States. Department of the Army permits are also required, under Section 10 of the Rivers and Harbors Act of 1899, for work or structures waterward of the ordinary high water mark of, or affecting, navigable waters of the United States. In Idaho navigable waters include:

- Bear Lake
- Clark Fork River upstream to River Mile 4
- Clearwater River upstream to River Mile 40
- North Fork Clearwater River upstream to River Mile 57.9
- Kootenai River from Bonners Ferry to the Canadian border
- Pack River upstream to River Mile 1.5
- Pend Oreille Lake to elevation 2062.5
- Pend Oreille River (ID-WA border upstream to NPRR bridge at Sandpoint)
- Snake River upstream to River Mile 445.5

Rules and regulations governing the Corps' permit program are provided in Title 33 of the Code of Federal Regulations, Parts 320-330.

1. Types of Permits.

a. Individual Permits. There are two types of individual Department of the Army permits: Standard Permits and Letters of Permission (LOPs). Standard Permits include a public interest review, opportunity for a public hearing and preparation of an environmental document. Letters of Permission involve a more abbreviated processing procedure without a full public interest review. For LOPs, the Corps coordinates with Federal and state fish and wildlife agencies and other agencies without publishing a public notice.

b. General Permits. In many cases the formal processing of a permit application is not required because general permits are already issued to the public by the Corps. Separate applications may or may not be required for general permits. There are two types of general permits: Regional General Permits and Nationwide Permits. The regional permit listed in Appendix A has been issued for activities within the State of Idaho. Nationwide permits are issued on a nationwide basis for certain minor activities. Appendix A lists the nationwide permits now in effect. Regional conditions for these nationwide permits and water quality certification conditions are located on the Walla Walla District Regulatory Homepage at <http://www.nww.usace.army.mil/html/offices/op/rf/rfhome.htm>. For specific information on general permits, contact a Corps' regulatory office (see page 15).

Projects authorized by Corps General Permits still need to be approved by the State of Idaho

B. State.

Work in all continuously flowing streams within the State of Idaho requires a Stream Alteration permit from the Idaho Department of Water Resources, unless the work is exempted. This is required by the Idaho Stream Channel Protection Act, Title 42 Chapter 38, Idaho Code which may be obtained from the Idaho Department of Water Resources. All encroachments into lakes and reservoirs within the State of Idaho require a Lake Encroachment permit from the Idaho Department of Lands. This is required by the Idaho Lake Protection Act, Section 58, et seq, Idaho Code which may be obtained from the Idaho Department of Lands.

HOW TO COMPLETE THE JOINT APPLICATION

Instructions by Item

To obtain an electronic copy of the Joint Application for Permits, send an email request to: <mailto:CENWW-OD-RF-3@nww01.usace.army.mil> or visit the Corps' Walla Walla District Homepage at <http://www.nww.usace.army.mil/html/offices/op/rf/rfhome.htm>.

1 and 2a and 2b. For agency use, please leave blank.

3. Provide applicant's complete name, mailing address, phone number, fax number and email address if available.

4. If the applicant wishes to designate an agent to represent him during the permit process, provide agent's name and complete mailing address. **The agent must sign the application in the Authorized Agent signature block on page 2.**

5. Provide the name of the waterway. Provide the name of the nearest city or town, and the distance and direction the proposed project is located from the nearest city or town. Provide the county, state, and zip code. Show the local jurisdiction (either city or county). Include the Tax Assessor's description or parcel number, $\frac{1}{4}$ $\frac{1}{4}$ (sixteenth section), Section, Township, and Range or UTM Coordinate Grid. If the project is located on the Pend Oreille Lake or River, the Tax Assessor's Description is **required**.

6. Provide a detailed description of the proposed project. Include the type of structure(s) and material such as a wooden dock supported by steel piles or concrete ramp.

The Idaho Department of Water Resources requires all applications for bridges or culverts to include the drainage area above the crossing and design flow capacity of the structure (with required allowance for debris and ice passage). Design flows shall be based on the following minimum criteria:

<u>Drainage Area</u>	<u>Design Flow Frequency</u>
50 sq. mi. or less	25 years
Over 50 sq. mi.	50 years or greatest flow of Record, whichever is more

Minimum clearance shall be at least one foot at all bridges. This may need to be increased substantially in the areas where ice passage or debris may be a problem.

Minimum culvert sizes required for stream crossings (provided the channel is adequate to accommodate this size culvert):

- 18-inch diameter for culverts up to 70 feet long.
- 24-inch diameter for all culverts over 70 feet long.

Contact Idaho Department of Water Resources for minimum standards for fish passage requirements.

7. Provide information regarding type, quantity, and disposal location for projects involving discharges of dredged or fill material.
8. Check the appropriate block and provide a brief description and justification for the project.
9. Provide the proposed starting date for your activity and the estimated time required for completion.
10. It is important that the completion date be provided for any existing portion of the activity to determine if the Corps of Engineers' or Idaho Department of Lands' authorization under the "Grandfather" provision is appropriate. Show existing work on the drawings.
11. Provide the name, address, and telephone number of adjacent property owners. The list of adjacent property owners should include ownerships located on the near bank on both sides of the activity and other ownerships on the waterway that may be affected.
12. If ownership of the land on which the activity is proposed is held by someone other than the applicant, provide the name and address of the owner.
13. Provide a list of other Federal, state or local authorizations for the proposed project.
14. Indicate any agency denials of required authorizations directly related to the activity described in the application.
15. Indicate any additional pertinent remarks, continue project description.
- 16 and 17. Each application must have an original signature of the applicant and date. If an agent has been designated to act for the applicant during permit processing, Item 4 must be completed and the application must also be dated and signed by the designated agent.**

The disclosure of information is VOLUNTARY. Incomplete data precludes proper evaluation of the permit application. Without the necessary data, the permit application cannot be processed. The need for a name, address and phone number is necessary in case the permit application becomes involved in litigation, as a Justice Department requirement.

JOINT APPLICATION FOR PERMITS

U.S. ARMY CORPS OF ENGINEERS
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

DO NOT START WORK UNTIL YOU
RECEIVE PERMITS FROM BOTH THE
CORPS AND THE STATE

This application may be used to apply for both a Department of the Army permit from the U.S. Army Corps of Engineers (Corps) and for State of Idaho permits. Department of the Army permits are required by Section 10 of the Rivers and Harbors Act of 1899 for any structures or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for discharges of dredged or fill material into waters of the United States, including their adjacent wetlands. State permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq., Idaho Code. **Route Uses: Information provided on this form will be used in evaluating the application. Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can permits be issued.** Applicants should send this completed application, along with one set of good reproducible drawings showing the location and character of the proposed project, to both the Corps of Engineers and the State of Idaho. NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. The Applicant Information pamphlet provides instructions and a checklist for completing the drawings.

1. Corps of Engineers # _____ Date Received _____	2a. Department of Water Resources # _____ Date Received _____ Fee Rec'd By: _____ Receipt # _____	2b. Department of Lands # _____ Date Received _____ Fee Rec'd By: _____ Receipt # _____
--	---	---

PLEASE TYPE OR PRINT

3. a. Applicant <u>John Smith</u>	4. a. Authorized Agent <u>BC Construction</u>
b. Mailing Address <u>1799 Main Street</u> <u>Avery, ID 83802</u> Area _____ Area _____	b. Mailing Address <u>512 Main Street</u> <u>Stanley, ID 83278</u> Area _____ Area _____
c. Work Phone (208) <u>555-9675</u> Home (208) <u>555-4663</u>	c. Work Phone (208) <u>555-4344</u> Home () _____
d. Fax Number <u>208-555-1212</u>	d. Fax Number _____
e. Email Address <u>jsmith@anywhere.com</u>	e. Email Address _____

5. Location where proposed activity exists or will occur.	5. e. Tax Assessor's Description
a. Waterway <u>West Fork Bluff Creek</u> <u>2 miles north of Avery, Idaho</u>	Lot <u>16</u> Blk <u>1</u> <u>Bluff Creek Ad.</u>
b. Distance/Direction from nearest city or town _____ County/State _____	f. <u>NW 1/4</u> <u>13</u> <u>44N</u> <u>7E</u> <u>83802</u> <u>Shoshone County</u>
c. Zip Code _____ Local jurisdiction (city or county) _____	g. UTM Coordinate Grid <u>11</u> <u>5224140</u> <u>611700</u>
d. Directions to the site <u>From Hwy 97 turn west onto Dale Road, proceed 1.2 miles, turn right into drive at #2397. Brown house with green trim</u>	Zone _____ Northing _____ Easting _____

6. a. Describe Project (Work below the ordinary high water mark or in wetlands). <u>Place clean, rock riprap along approximately 800 feet of bank. Boulder size will be between 12 and 18 inches in diameter.</u>
b. Construction methods and equipment <u>Rock will be placed from the top of the bank with a backhoe</u>
c. Length of project along the stream or extension into lake or reservoir: <u>800 feet</u>
d. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles): (Idaho Department of Water Resources requirement.) _____

COMPLETE THE FOLLOWING FOR DISCHARGES OF DREDGED OR FILL MATERIAL

7. a. Volume dredged or fill material to be placed waterward of the ordinary high water mark (BOTH TEMPORARY AND PERMANENT)? <u>780</u> (cubic yards)
b. Will fill be placed in wetlands? <u>No</u> If yes, area: _____ (acres) Type of fill material: _____ (i.e. sand, rock, clay, concrete, etc.)
c. Will dredging be required waterward of the ordinary high water mark or in wetlands? <u>No</u> If yes, volume _____ (cubic yards)
d. Type of dredged material _____
e. Disposal site for dredged material: _____ Method of dredging: _____
f. Method to control turbidity and sedimentation: <u>Construction will occur during summer low water flows (July - August)</u>
g. Is project located in a mapped floodway? _____ If yes, complete the Engineering "No-Rise" certification form.

8. a. Purpose and intended use: Commercial _____ Public _____ Private X Other _____ Describe _____

b. Reason for project Banks are being eroded by high flows

9. Proposed Starting Date July 15, 2003 Estimated Duration 1 week

10. List portions of the project that are complete with month and year of completion _____

Label this work on your drawings.

11. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway.

Bob Hart

Simon Long

Route 1, Box 543

Route 3, Box 97

Avery, ID 83802

Avery, ID 83802

(208) 555-4235

(208) 555-8255

☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands.

12. LEGAL OWNER IF OTHER THAN APPLICANT

a. Name N/A d. Phone Work () _____

Mailing Address _____ Home () _____

b. _____

c. City, State, Zip Code _____

13. List applications, approvals, or certifications from other Federal, state, or local agencies for work described in this application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
<u>ID Dept of Water Resources</u>	<u>Stream Channel Alternation</u>	<u>91-S-999</u>	<u>July 15, 2002</u>	

14. Has any agency denied approval for the proposed activity? Yes _____ No X (If "Yes" explain) _____

15. Other comments/information:

16. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed and completed work.

Signature of Applicant (ORIGINAL SIGNATURE REQUIRED) _____ Printed Name _____ Date _____

17. If you wish to designate an authorized agent, complete item 4, item 16 and the following information.

I hereby designate _____ to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

Original Signature of Authorized Agent _____ Date _____ Original Signature of Applicant _____ Date _____

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

DO NOT SEND CORPS PROCESSING FEE WITH APPLICATION

SEND IDAHO DEPARTMENT OF WATER RESOURCES OR IDAHO DEPARTMENT OF LANDS FILING FEE WITH APPLICATION

Drawing Checklist

General

☐ Submit one original, good quality reproducible set of all drawings and maps on 8-1/2 x 11-inch drawing paper. Submit the fewest number of sheets to show the proposed activity. Use the sample drawings starting on page 9. Block style lettering should be used. Engineering drawings should be reduced to 8½ x 11-inch size, **and still be legible. Do not use color shading. Drawings must show proposed work in waters of U.S. as dot shading, hatching, or similar graphic symbols. Do not shade other work.**

☐ A 1-inch margin should be left at the top edge of each sheet for purposes of copying and binding. A ½-inch margin is required on the three other edges.

☐ Title block of each sheet submitted should identify the proposed activity and contain the name of the body of water; name of county and state; name of applicant; number of the sheet and total number of sheets in set; and date the drawing was prepared.

☐ Drawings should label proposed work and show existing conditions. Drawings should not reflect the approval, non-objection, or action of other agencies.

Vicinity Map. Use a U.S.G.S. topographic map or similar map (county, National Forest) to show the following:

☐ Section, Township, and Range of the activity.

☐ The USGS quadrangle map in which the site is located, indicate UTM Coordinate Grid and label the location on the map.

☐ Name of waterway.

☐ Name of and distance to local town, community, or other identifying location.

☐ Names of all roads in the vicinity of the site.

☐ North arrow.

Plan View. The Plan View drawing is a view of the proposed activity as it would appear if seen from the air. It should show the following:

☐ Existing shorelines/banks, showing the ordinary high water mark.

☐ Direction of water flow.

☐ North arrow.

- ☐ Ordinary high water mark (and ordinary low water if the proposed activity is on a lake).
- ☐ Photographic points and direction of photo. (Optional)
- ☐ Dimensions of the structure or work (show length, width, depth, acreage and cubic yards of fill material proposed to be discharged below the ordinary high water mark).
- ☐ Waterward dimension from an existing, permanent, fixed structure, or object.
- ☐ Distances to nearby Federal projects, if applicable.
- ☐ Distances to property lines, riparian right lines or littoral right lines.
- ☐ Location of spoil disposal area if applicable. If spoil material is to be placed in approved dumping grounds, a separate map showing the location of the dumping grounds should be attached.
- ☐ Distance between proposed activity and navigational channel, where applicable.
- ☐ Location of existing structures immediately adjacent to the proposed activity, including permit numbers, if known. Identify purpose of all structures.
- ☐ Location of any wetlands, swamps, marshes, etc. Identify.
- ☐ Placement of cofferdams (location and type).
- ☐ Show property line and approximate distance to proposed work.

Section (Elevation) View.

- ☐ Ordinary high water mark.
- ☐ Water depth at waterward end of proposed work, or if dredging is proposed, show dredging grade.
- ☐ Distance from the ordinary high water mark to proposed fill, structure or work.
- ☐ Cross-section of excavation or fill, including approximate side slopes, and horizontal and vertical dimensions.
- ☐ Elevation of spoil areas.

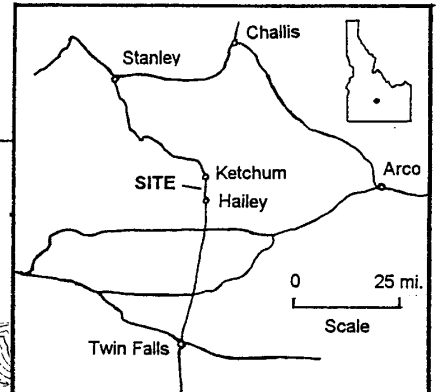
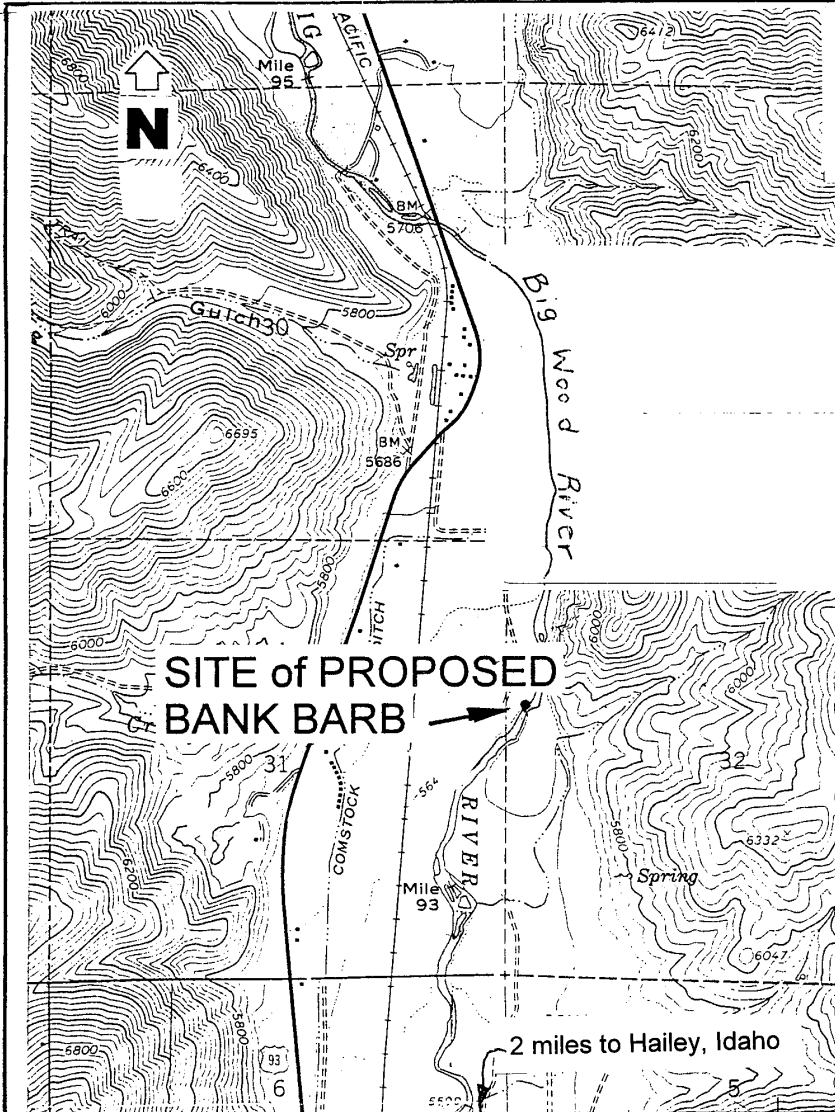
Sample Drawing

Location Map

BIG WOOD RIVER BANK BARB

Range 8 East

Township 4 North



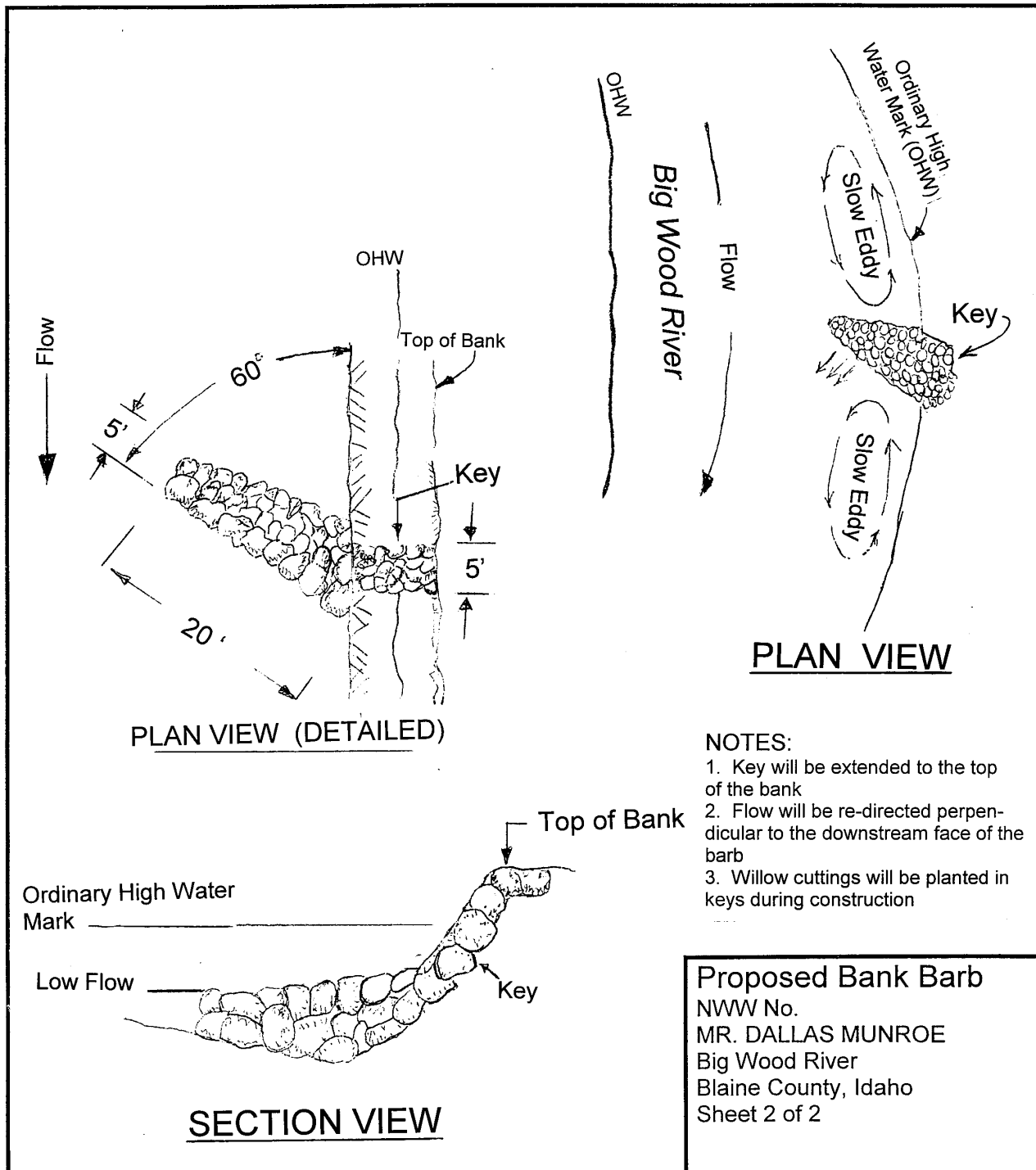
Vicinity Map

From U.S. Geological Survey map
quadrangle titled *Sun Valley*

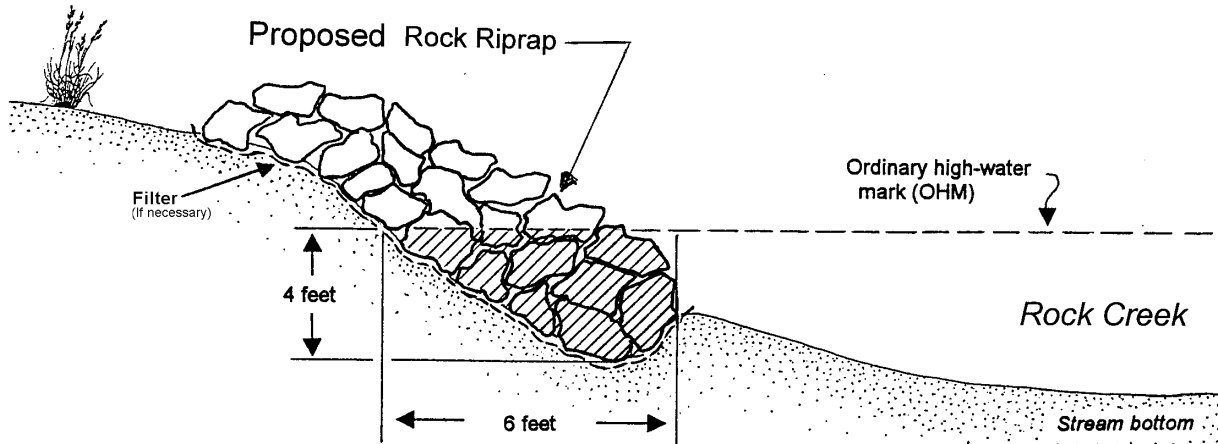
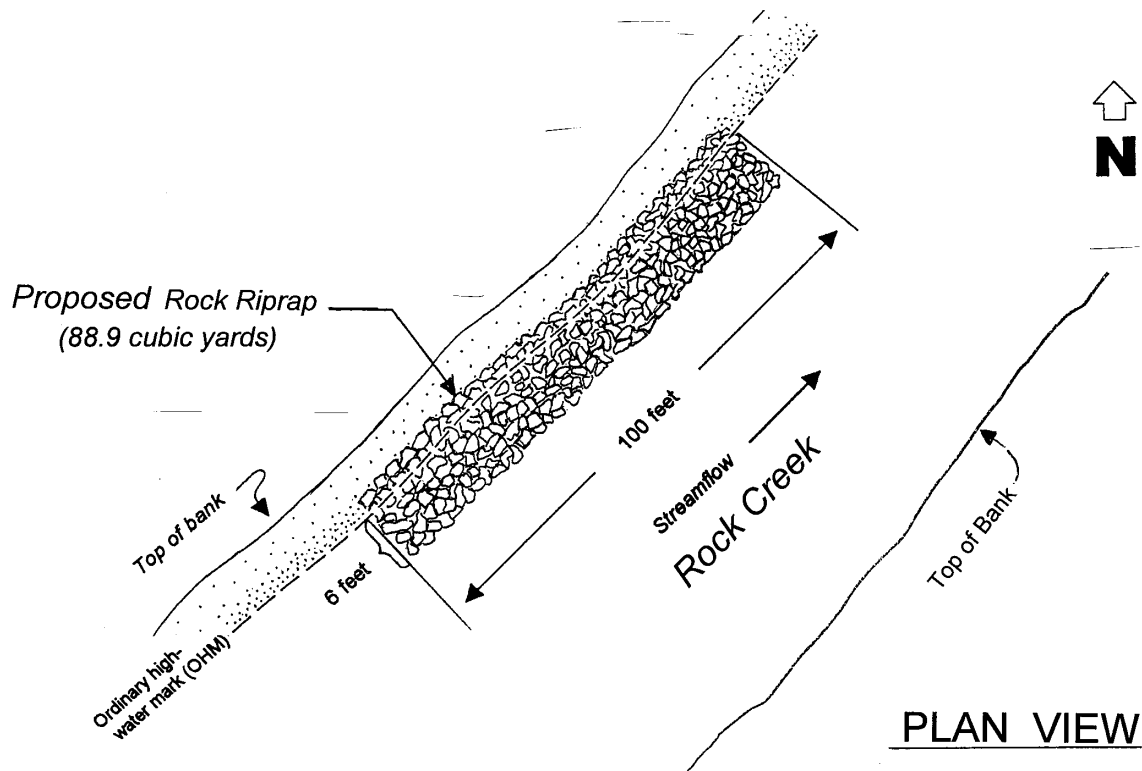
Proposed Bank Barb

NWW No.
MR. DALLAS MUNROE
Big Wood River
Blaine County, Idaho
Sheet 1 of 2
June 18, 1998

Sample Drawing



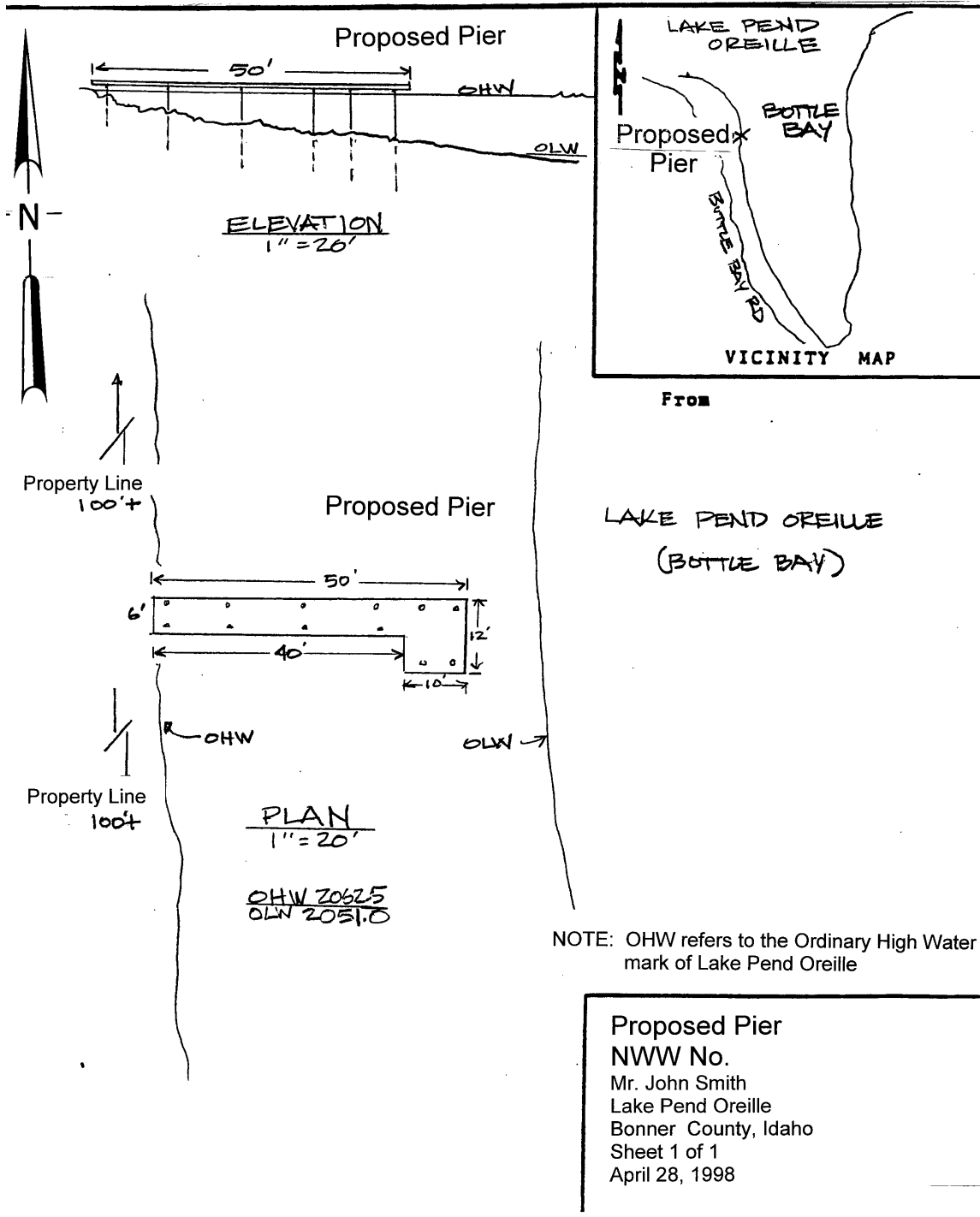
Sample Drawing



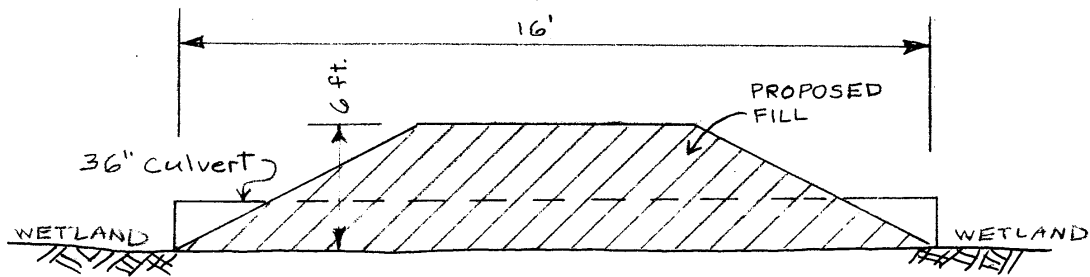
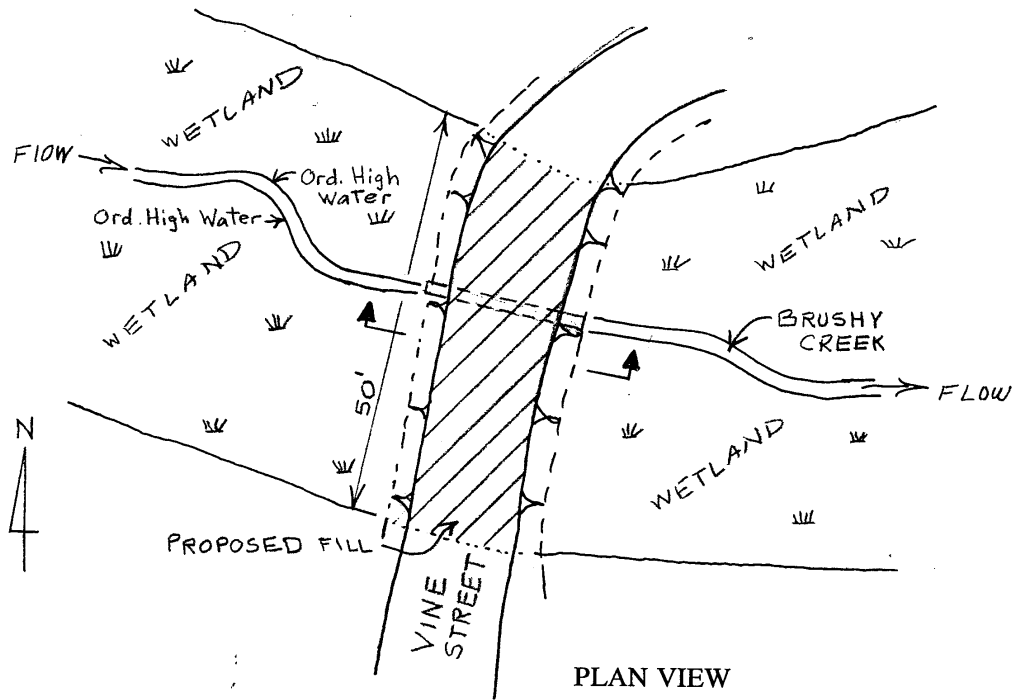
SECTION VIEW

Proposed Bank Stabilization
NWW No.
Ms. Betty Brown
Rock Creek
Nez Perce County, Idaho
Sheet 2 of 2

Sample Drawing



Sample Drawing



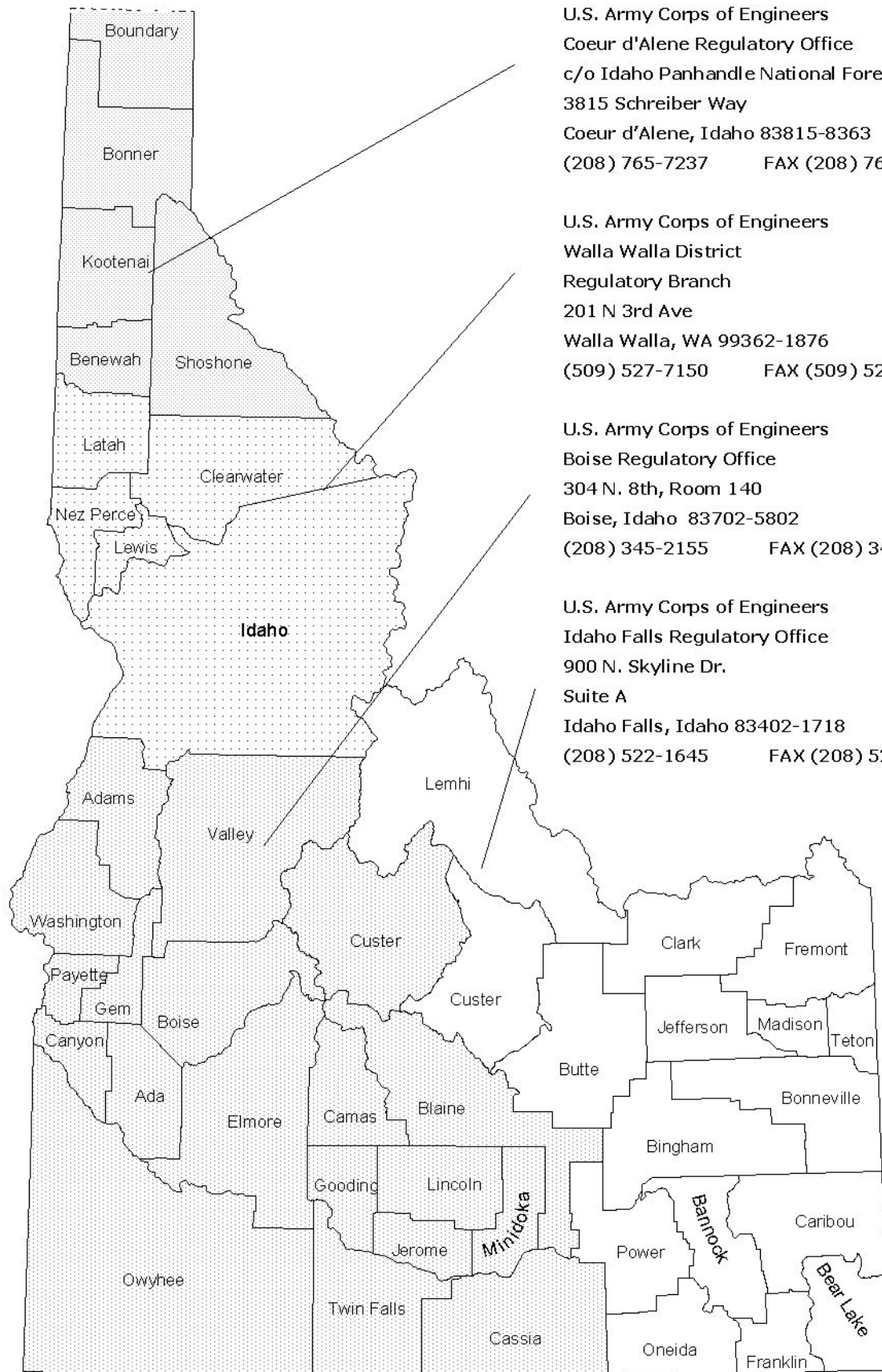
PROPOSED ROAD CROSSING
NWW No.
Mr. John Doe
Brushy Creek
Kootenai County, Idaho
Sheet 1 of 2

WHERE TO SUBMIT THE JOINT APPLICATION

The Joint Application for Permits form should be sent to the Corps of Engineers and the Idaho Department of Water Resources or Idaho Department of Lands. The addresses for these agencies are on the following 3 sheets. Send your application to the address that corresponds with your project location.

Along with your application form, you should send your drawings prepared using the checklist on page 7. When applying to the Idaho Department of Water Resources for work in a mapped floodway, you should submit a completed Engineering “No-Rise” Certification. When applying to the Idaho Department of Lands, you should also submit a completed “Attachment for Encroachment”.

Walla Walla District Corps of Engineers Regulatory Office Boundary Map



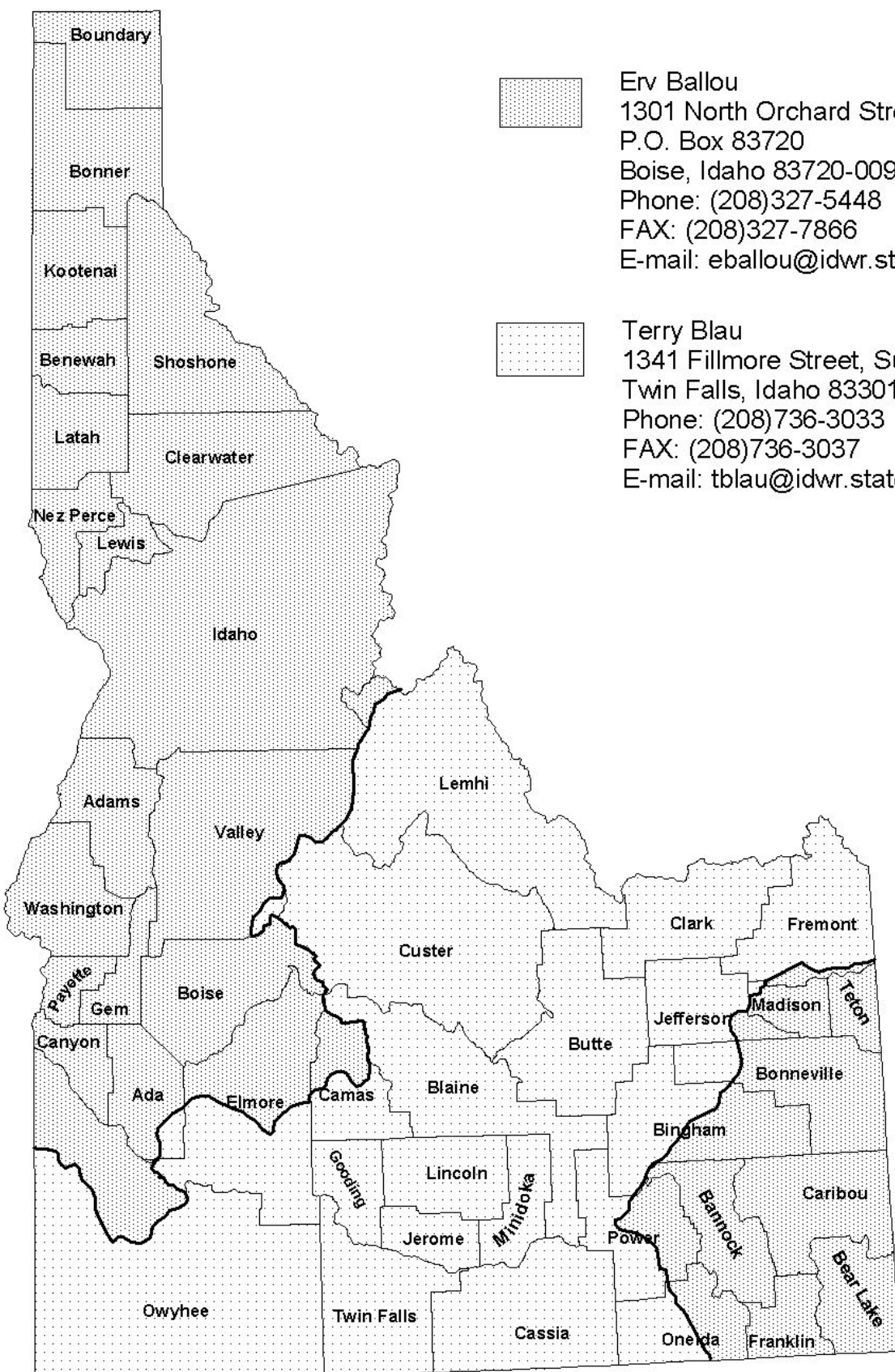
U.S. Army Corps of Engineers
Coeur d'Alene Regulatory Office
c/o Idaho Panhandle National Forest Bldg
3815 Schreiber Way
Coeur d'Alene, Idaho 83815-8363
(208) 765-7237 FAX (208) 765-7449

U.S. Army Corps of Engineers
Walla Walla District
Regulatory Branch
201 N 3rd Ave
Walla Walla, WA 99362-1876
(509) 527-7150 FAX (509) 527-7820

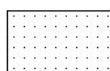
U.S. Army Corps of Engineers
Boise Regulatory Office
304 N. 8th, Room 140
Boise, Idaho 83702-5802
(208) 345-2155 FAX (208) 345-2968

U.S. Army Corps of Engineers
Idaho Falls Regulatory Office
900 N. Skyline Dr.
Suite A
Idaho Falls, Idaho 83402-1718
(208) 522-1645 FAX (208) 522-2994

IDAHO DEPARTMENT OF WATER RESOURCES

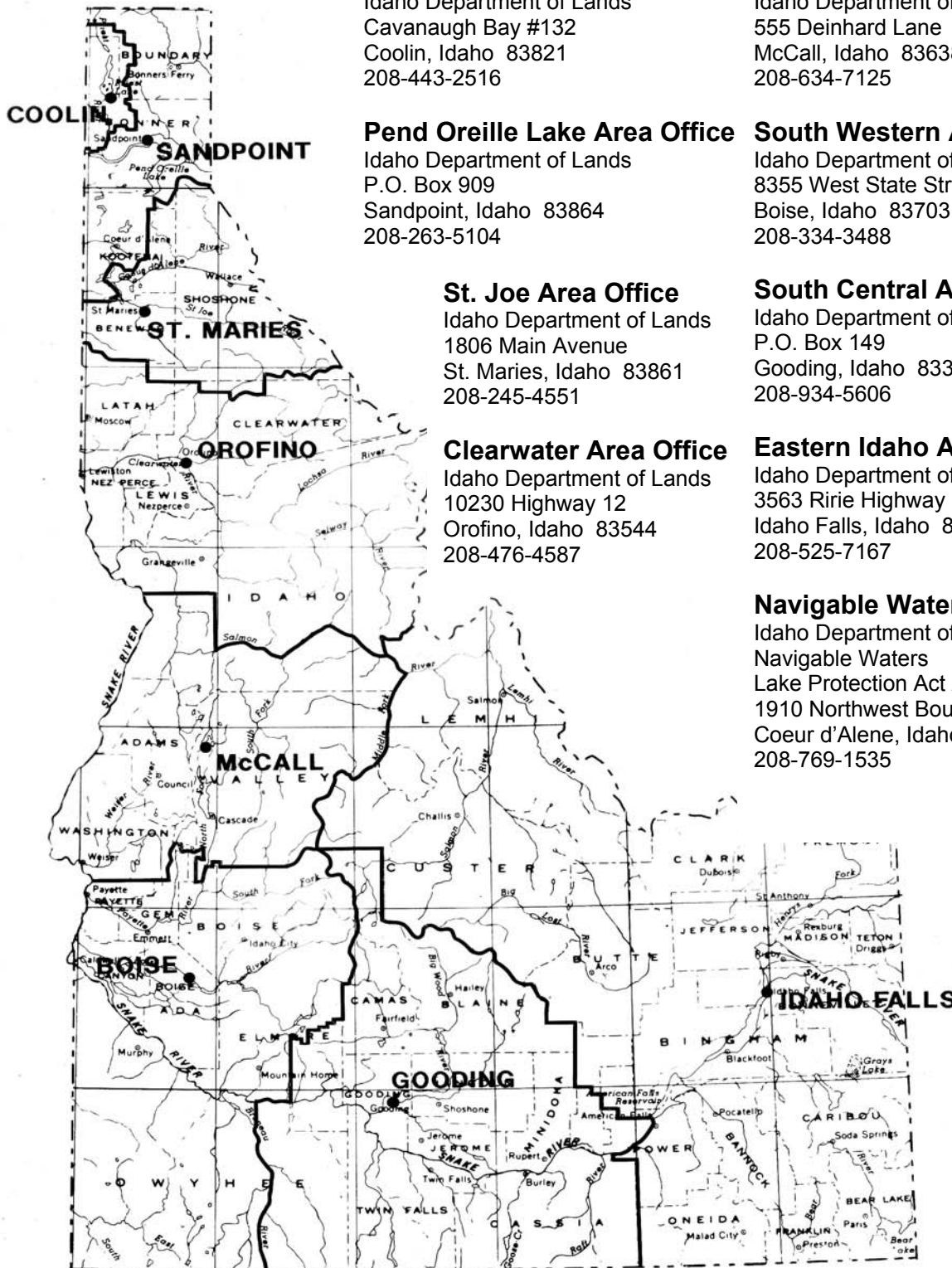


Erv Ballou
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098
Phone: (208)327-5448
FAX: (208)327-7866
E-mail: eballou@idwr.state.id.us



Terry Blau
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380
Phone: (208)736-3033
FAX: (208)736-3037
E-mail: tblau@idwr.state.id.us

IDAHO DEPARTMENT OF LANDS SUPERVISORY AREAS



Priest Lake Area Office

Idaho Department of Lands
Cavanaugh Bay #132
Coolin, Idaho 83821
208-443-2516

Payette Lakes Area Office

Idaho Department of Lands
555 Deinhard Lane
McCall, Idaho 83638
208-634-7125

Pend Oreille Lake Area Office

Idaho Department of Lands
P.O. Box 909
Sandpoint, Idaho 83864
208-263-5104

South Western Area Office

Idaho Department of Lands
8355 West State Street
Boise, Idaho 83703
208-334-3488

St. Joe Area Office

Idaho Department of Lands
1806 Main Avenue
St. Maries, Idaho 83861
208-245-4551

South Central Area Office

Idaho Department of Lands
P.O. Box 149
Gooding, Idaho 83330
208-934-5606

Clearwater Area Office

Idaho Department of Lands
10230 Highway 12
Orofino, Idaho 83544
208-476-4587

Eastern Idaho Area Office

Idaho Department of Lands
3563 Ririe Highway
Idaho Falls, Idaho 83401
208-525-7167

Navigable Waters (Entire State)

Idaho Department of Lands
Navigable Waters
Lake Protection Act Administration
1910 Northwest Boulevard, Suite 201
Coeur d'Alene, Idaho 83814
208-769-1535

PROCESSING A JOINT APPLICATION

The Joint Application for Permits form should be sent to both the Corps and the State of Idaho. The Corps and the State of Idaho conduct separate evaluations of your application and issue separate permits. Applicants must receive permits from both the Corps and the State.

Typical Processing Procedures

A. Corps of Engineers

1. Individual Permits

You should apply as early as possible to be sure you have all required approvals before you plan to start work. It normally takes 2 or 3 months for the Corps to process an individual permit application. Larger, more complex projects can take even longer and it is helpful to applicants to schedule a pre-application consultation or informal meeting with the Corps during the early planning phase of your project. You may receive helpful information during this meeting that could prevent delays later. The following procedures are followed for a typical individual Department of the Army permit:

- Preapplication consultation (optional)
- Applicant submits Joint Application for Permit to Corps
- Application received and assigned identification number
- Public Notice issued (within 15 days of receiving all information)
- 15 to 30 day comment period depending upon nature of activity
- Proposal is reviewed by Corps and:
 - Public
 - Special interest groups
 - Local agencies
 - State agencies
 - Federal agencies
- Corps considers all comments
- Other Federal agencies consulted, if appropriate
- District Engineer may ask applicant to provide additional information
- Public hearing held, if needed
- District Engineer makes decision
- Permit issued
- or
- Permit denied and applicant advised of reason

2. Nationwide Permits

Nationwide Permits (NWP) require less time to process than individual permits. Typically, nationwide permits can be finalized in an average of 60 days or less. Some applications can take longer. Others are finalized in a week or less. The following procedures are followed for a typical nationwide permit:

- Applicant submits Joint Application for Permit to Corps
- Application received and assigned identification number
- Proposal is reviewed by Corps to see if it meets the terms and conditions of one of the NWPs
- Other Federal and state agencies are consulted if appropriate
- District Engineer may ask applicant to provide additional information
- Corps sends letter to applicant verifying project under an NWP if it meets the terms and conditions of the NWP. Or, project will need to be reviewed under individual permit procedures.

B. State

Idaho Department of Water Resources Stream Channel Alteration Permit Procedures

- 20 day comment period
- Review of application similar to Corps of Engineers' Individual Permit processing procedures although agencies and groups may vary.

Fees

A. Corps of Engineers

The Corps charges fees for individual Department of the Army permits at the time a permit is issued. Do not send a fee when you send us your application. When we are ready to issue a permit, we will ask you for the fee before issuing the permit. A \$10 fee is charged for non-commercial activities and a \$100 fee is charged for commercial or industrial activities. No fees are required for nationwide permits or other permit actions.

B. State

A \$20 filing fee is required for State Stream Alteration Permits administered by the Idaho Department of Water Resources (IDWR) and must be submitted with the application. Idaho Department of Lands (Lands) charges a \$250 permit fee and a \$30 advertising deposit for Lake Encroachment Permits related to commercial and non-navigational encroachments (i.e. waterlines). Erosion control measures are excluded from this fee. A \$50 permit fee is also required by Idaho Department of Lands for navigational and non-commercial encroachment. All state fees must be submitted to the state with the Joint Application.

Evaluation Factors

A. Corps of Engineers

The Corps' decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered. Among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality and, in general, the needs and welfare of the people. If an activity is proposed in valuable wetlands, the Corps will evaluate it to determine whether it is a necessary alteration. The unnecessary alteration or destruction of these wetlands will be considered contrary to the public interest and must be avoided. In determining whether the alteration is necessary, the Corps will primarily consider whether the proposed activity is dependent on the wetland resource and whether alternatives are practical.

B. State

1. Idaho Department of Water Resources

The Director, Idaho Department of Water Resources, will consider the following items prior to issuing a permit.

- What is the purpose of doing the work?
- What is the necessity and justification for the proposed alteration?
- Is the proposal a reasonable means of accomplishing the purpose?
- Will the alteration be a permanent solution and will the method used create a permanent and stable situation?
- Will the alteration pass anticipated water flows without creating harmful flooding or erosion problems upstream or downstream?
- What effect will the alteration have on fish habitat?
- Will the materials used or the removal of ground cover create turbidity or other water pollution problems?
- Will the alteration interfere with recreational use of the stream?
- Will the alteration detract from the aesthetic beauty of the area?
- What modification or alternative solutions are reasonably possible which would reduce the disturbance to the stream channel and its environment and/or better accomplish the desired goal of the proposed alteration?
- Is the alteration to be accomplished in accordance with the adopted minimum standards?

In those cases where a proposed alternative does not follow the minimum standards, a copy of the application will be sent for review to those state agencies requesting notification. The Director shall request review by the Department of Lands for proposals which affect navigable waters or state-owned land and may request review by other state agencies regardless of whether or not the proposed alteration will comply with the minimum standards.

2. Idaho Department of Lands

The Department of Lands' decision on whether to issue a permit is based on the need to protect property, navigation, fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, and water quality; weighed against navigation or economic necessity or justification for a benefit to be derived from the proposed encroachment.

Other State and Local Approvals

A. Water Quality Certification

If you are applying to the Corps of Engineers for a project that involves discharging dredged or fill material into waters of the United States, including wetlands, you will need to obtain water quality certification for your project before the Corps can issue a permit. The Idaho Department of Environmental Quality is the water quality certifying agency for most of Idaho and the U.S. Environmental Protection Agency is the certifying agency for projects located on Tribal lands. The Corps will notify one of these agencies of your project and request water quality certification, as part of the Corps permit review process.

B. Engineering "No-Rise" Certification

A local floodplain management ordinance may have been adopted by your local city or county zoning office under the National Flood Insurance Program. You should contact them directly for further information. If your project is located in a mapped floodway, complete the enclosed Engineering "No-Rise" Certification form and mail it to Idaho Department of Water Resources or to your city or county planning office.

C. Other Federal, State, or Local Permits

Your project may also require approval from other Federal, state or local authorities. If a required state or local authorization is denied, your Department of the Army permit is likely to be denied as well.

Permit Extensions

A. Corps of Engineers

It is very important that you complete the permitted work within the time specified since it may not be a routine matter to grant a time extension. If you need more time to complete your project, you should send a written request within 6 months of, but no later than 60 days before the permit's expiration date. Your request for an extension must explain why the permit should be extended. No extension can be granted after a permit has expired. In such cases, the applicant must file a new application.

B. State

1. Idaho Department of Water Resources

A permit may be extended by the Director upon written request by the permit holder and after review by the Department of Lands and other agencies as determined by the Director.

2. Idaho Department of Lands

Permits granted under the Lake Protection Act generally are perpetual. Permits with an expiration date may be extended for an additional reasonable period if good cause is shown.

Permit Transfers

A. Corps of Engineers

Department of the Army permits are issued to a particular individual. If the property is sold, the permit is no longer valid unless it is transferred to the new owner. To transfer the permit to a new owner, the new owner must sign the permit on page 4 as transferee to show acceptance of the permit conditions.

B. State

1. Idaho Department of Water Resources

The Idaho Department of Water Resources issues Stream Channel Alteration Permits in the name of the applicant and the applicant is responsible for all activity under the permit. If a new applicant plans to perform any activity, a new application must be filed. If the proposed activity is unchanged from the activity previously permitted, the review period will be abbreviated and the permit will normally be issued in a short time.

2. Idaho Department of Lands

The Idaho Department of Lands issues Lake Protection Act permits for specific activities to a riparian landowner. Therefore, if the property is sold or relinquished to another party, a Transfer of Encroachment Permit form must be completed and submitted. If the subject property is unchanged, a new permit will be issued; however, if changes are planned, a new application is required.

Appendix A

The Corps will determine if your project qualifies for one of the Regional or Nationwide Permits listed below.

Regional Permit

NPW-27 Installation for non-commercial use of piers and floating docks; marine launching rails; and portable boat lift stations.

Nationwide Permits

- 1 Aids to Navigation
- 2 Structures in Artificial Canals
- 3 Maintenance
- 4 Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
- 5 Scientific Measurement Devices
- 6 Survey Activities
- 7 Outfall Structures and Maintenance
- 8 Oil and Gas Structures
- 9 Structures in Fleeting and Anchorage Areas
- 10 Mooring Buoys
- 11 Temporary Recreational Structures
- 12 Utility Line Activities
- 13 Bank Stabilization
- 14 Linear Transportation Crossings
- 15 US Coast Guard Approved Bridges
- 16 Return Water from Upland Contained Disposal Areas
- 17 Hydropower Projects
- 18 Minor Discharges
- 19 Minor Dredging
- 20 Oil Spill Cleanup
- 21 Surface Coal Mining Activities
- 22 Removal of Vessels
- 23 Approved Categorical Exclusions
- 24 State Administered Section 404 Program
- 25 Structural Discharge
- 26 Reserved
- 27 Stream and Wetland Restoration Activities
- 28 Modification of Existing Marinas
- 29 Single-Family Housing
- 30 Moist Soil Management for Wildlife
- 31 Maintenance of Existing Flood Control Facilities
- 32 Completed Enforcement Actions
- 33 Temporary Construction, Access and Dewatering

34	Cranberry Production Activities
35	Maintenance Dredging of Existing Basins
36	Boat Ramps
37	Emergency Watershed Protection and Rehabilitation
38	Cleanup of Hazardous and Toxic Waste
39	Residential, Commercial and Institutional Developments
40	Agricultural Activities
41	Reshaping Existing Drainage Ditches
42	Recreational Facilities
43	Stormwater Management Facilities
44	Mining Activities